



**REGULAR CITY COUNCIL MEETING
VIRTUAL MEETING HELD VIA WEBEX
MAY 12, 2020
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Pledge of Allegiance

Open forum

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have submitted comments to kwynn@richfieldmn.gov prior to the meeting.

Approve the minutes of the (1) City Council Work Session of April 28, 2020; and (2) City Council Meeting of April 28, 2020.

PRESENTATIONS

1. Equity in the time of COVID-19 Pandemic Proclamation

AGENDA APPROVAL

2. Approval of the Agenda
3. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Consider adoption of a resolution authorizing the City to affirm the monetary limits on statutory municipality tort liability.

Staff Report No. 58

4. Consideration of items, if any, removed from Consent Calendar

PROPOSED ORDINANCES

5. Consider approval of a first reading of an ordinance creating an Affordable Housing Trust Fund.

Staff Report No. 59

RESOLUTIONS

6. Consider adoption of a resolution granting an extension of land use approvals for a planned unit development at

101 66th Street East (The Emi).

Staff Report No. 60

CITY MANAGER'S REPORT

7. City Manager's Report

CLAIMS AND PAYROLLS

8. Claims and Payroll

COUNCIL DISCUSSION

9. Hats Off to Hometown Hits
10. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

City Council Work Session Virtual Meeting held via WebEx

April 28, 2020

CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 5:49 p.m. held via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; and Ben Whalen.

Council Members Absent: Edwina Garcia

Staff Present: Katie Rodriguez, City Manager; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant

ITEM #1	STRATEGIC PLANNING UPDATE
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City Manager Rodriguez gave a brief update regarding Strategic Planning. A meeting will be set up in May to compile ideas for goal setting. Due to the pandemic, Strategic Planning itself will be postponed until 2021.

ITEM #2	REVIEW OF COMMUNITY SURVEY RESULTS
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City Manager Rodriguez provided background information on why the survey was conducted. The City was able to hear from residents, see benchmarking against peers, demographic differences and actionable data. She then discussed the methodology of the randomized survey that included a mailing of 2,500 surveys with 566 returned. There was also an online opt-in survey that had 107 residents respond. City Manager Rodriguez then provided results of how livability in Richfield compares well nationally. Overall, residents like living in Richfield. It is a desirable place to live with safety as a feature that contributes to quality of life. Residents applaud mobility in Richfield and are very pleased with the Parks and Recreation Department.

City Manager Rodriguez then presented results of areas in Richfield that compared well but received lower marks such as vibrancy of commercial areas; cost of living; availability of quality affordable housing and mental health care; opportunities for education, culture and the arts; residents connection and engagement with their community.

City Manager Rodriguez discussed a summary of Minnesota benchmark results by relative percent positive rating. Areas Richfield scored higher than MN peers were public transportation, ease

of bike travel, snow removal and drinking water. Two areas Richfield scored lower than MN peers were overall opportunities for education, culture and the arts and K-12 education. She also reported areas that ranked in the top third of MN benchmark by relative rank such as overall confidence in Richfield government, overall direction that Richfield is taking, treating all residents fairly, quality and vibrancy of businesses, employment opportunities and more.

City Manager Rodriguez presented demographic analysis regarding livability and governance. Results showed people of color (POC) ranked positive image and reputation slightly higher while homeowners and residents in detached homes were more likely to stay in Richfield. However, POC gave lower marks to customer service. Also, older residents reported having more confidence in government while younger residents like the direction of the City better. As well as customer service ratings for POC were sixteen points lower than white residents and males felt most respected.

Mayor Regan Gonzalez stated it is concerning to see and is problematic. She spoke of how more research needs to be done around affordable housing and action needs to come out of the research.

Council Member Supple spoke of how sixteen points regarding customer service is a significant spread.

City Manager Rodriguez explained how equity is a major priority. The work is slow but action is being taken to diversify the work force. Several steps have been taken including joining multiple groups to promote equity and the City will continue its work to improve.

Mayor Regan Gonzalez spoke of the customer service aspect and how everyone should look at how the City can do better as a whole to provide for all residents in being helpful and respectful.

City Manager Rodriguez explained how all department directors have the information regarding the survey as well. She went on to state that customer service ratings are high but there is a discrepancy.

Council Member Trautmann asked for clarification on what POC rating positive image and reputation slightly higher meant.

City Manager Rodriguez explained how the information is compiled and broken down by demographic sub groups and will show if a certain community demographic is rating something higher. POC rated Richfield's positive image and reputation slightly higher than white people.

Council Member Trautmann echoed the thoughts of other council members in that equity is urgent and perpetual. He appreciates how staff is making great strides.

Council Member Supple asked about the result of residents more likely to stay. City Manager Rodriguez clarified the question in the survey regarded living in Richfield in the next five years.

City Manager Rodriguez then spoke of results regarding economy; mobility; community design; utilities; safety; natural environment and parks/recreation; health/wellness; education, arts and culture; inclusivity and engagement.

Council Member Whalen explained how some information is not surprising. As a white person, it may not be known how other groups are not made welcome. There is definitely more work to do to become equitable. He spoke of how important it is to hear from the groups that are not feeling included and welcomed in order to determine solutions.

City Manager Rodriguez agreed with Council Member Whalen and spoke of how it has become a very important goal of City board and commissions to help. She then went on to discuss demographic analysis of participation and online engagement and preference for sources of information.

Council Member Supple was curious to the result of residents 55 years and older as well as POC were more likely to campaign. City Manager Rodriguez explained it was to campaign for an issue or candidate.

City Manager Rodriguez continued on to touch on demographic analysis concerning community focus area and the customized questions. The customized questions resulted in supporting what employees have already heard from residents. She briefly spoke of the online survey results even though they were not statistically valid. Unfortunately, the responses were generally less positive. City Manager Rodriguez then summarized some key takeaways from the survey in that Richfield does well compared to peers; the strengths line up well with values and areas of improvement correspond with priorities; residents want a focus on safety, economic health, parks and recreation along with the natural environment; and demographic differences demonstrate a need for more equitable service delivery.

Council Member Whalen commented on the need to name things during the goal setting meeting that came out of the survey. He asked to have clear action steps bulleted in response to the needs of the survey.

City Manager Rodriguez said staff can absolutely make that happen. She also stated how this survey provided a lot of good news for the City. There is something for each department to be proud of regarding the results. She also gave praise to Communications and Engagement Manager, Neil Ruhland, in all his efforts. She then stated how Council should be very proud of their work. There is data to be used and department directors will be able to utilize this survey as one more tool.

Council Member Supple commented on how people don't always know what they don't know and to pay attention to results and fix things such as customer service

Mayor Regan Gonzalez thanked City Manager Rodriguez for sharing all the information and commended her on the positive results. She spoke of being able to share these results with business, non-profit organizations, and education partners to become a more robust City. She commented on how people are happy and the City should build on that aspect. Mayor Regan Gonzalez also stated how equity is their work and everyone should push to grow abilities and deliver core services in a variety of ways.

Council Member Whalen thanked all staff involved. He pointed out how there is a lot of positives to take away from the survey. He then gave a special call out to the Public Works Department.

Mayor Regan Gonzalez described how fortunate the residents of Richfield are to have such great leadership. Especially in a time of crisis, all people and groups are coming together.

Council Member Trautmann asked about a frequency of the survey and if it will be an annual item. City Manager Rodriguez explained it is an expensive undertaking so most likely it will be done every two to three years.

Council Member Supple asked about the results of the COVID-19 survey that was distributed. City Manager Rodriguez spoke of the great response rate. The results are being compiled now and should be ready in the next couple weeks.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:35 p.m.

Date Approved: May 12, 2020

Maria Regan Gonzalez
Mayor

Kelly Wynn
Senior Office Assistant

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting Virtual Meeting held via WebEx

April 28, 2020

CALL TO ORDER

The meeting was called to order by Mayor Maria Regan Gonzalez at 7:01 p.m. via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Ben Whalen; Edwina Garcia; and Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Chris Regis, Finance Director; Amy Markle, Recreation Services Director; Kristin Asher, Public Works Director; Julie Urban, Housing Manager; Jane Skov, IT Manager; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant

Others Present: Rebecca Kurtz with Ehlers Inc.; and Adam Seraphine, President of NHH Properties

OPEN FORUM

No speakers

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

APPROVAL OF MINUTES

M/Whalen, S/Supple to approve the minutes of the (1) City Council Meeting of April 14, 2020.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #1	MOMENT OF SILENCE
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A moment of silence was taken to celebrate the life of Margarita Trautmann, the dear mother of Council Member Trautmann.

Council Member Trautmann thanked all who have reached out with condolences. He then gave a touching background of her life and how grateful he was to have her as a mother.

Council Member Garcia spoke of how losing a mother is incredibly difficult. Missing her will be a daily battle but over time, the days will get easier and it will turn into reflection of all the good memories. She expressed that her heart goes out to Council Member Trautmann and his family.

Council Member Supple conveyed condolences and thanked Council Member Trautmann for sharing the wonderful story of his mother’s life.

Council Member Whalen expressed his sympathy for Council Member Trautmann. He appreciated how Council Member Trautmann celebrated the life of his mother and a life well lived.

Mayor Regan Gonzalez echoed condolences and thanked Council Member Trautmann for sharing his mother’s story.

Council Member Trautmann thanked everyone and shared a story about his son.

Item #2	PRESENTATION OF THE PROCLAMATION OBSERVING EARTH DAY, ARBOR DAY AND ARBOR MONTH
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Director Markle spoke of the things done in observance of Earth Day and the different things offered virtually. To observe Arbor Day, the department will be planting trees when staff is able.

Mayor Regan Gonzalez recognized the Parks and Recreation Department for engaging residents in all kinds of ways during this time. They have made it apparent that Mother Nature is still out there for residents to admire every day. She then read the proclamation. She commented on how she has been seeing children picking up trash at parks while they are out on walks and thanked all the young residents.

Item #3	APPROVAL OF THE AGENDA
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M/Trautmann, S/Whalen to approve the agenda

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Garcia: AYE
- Whalen: AYE

Motion carried 5-0

Item #4	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

- A. Consider the approval of a resolution that includes a declaration of restrictive covenants for the Seven Hills Preparatory Academy playground in the City of Richfield. In conjunction with the agreement, also consider approval of the Hennepin County Sports Program Playground Application that will be submitted in partnership with the school. The City of Richfield would act as the LGU for the local charter school (Staff Report No. 52).

**RESOLUTION NO. 11733
RESOLUTION APPROVING A DECLARATION OF RESTRICTIVE COVENANTS
FOR THE SEVEN HILLS PREPARATORY ACADEMY PLAYGROUND IN THE CITY
OF RICHFIELD**

- B. Consider the adoption of a resolution supporting a Livable Communities Demonstration Act Pre-Development grant application to the Metropolitan Council to support the redevelopment of 6501 Penn Avenue South (Staff Report No. 53).

**RESOLUTION NO. 11734
RESOLUTION IDENTIFYING THE NEED FOR LIVABLE COMMUNITIES
DEMONSTRATION ACCOUNT (“LCDA”) FUNDING AND AUTHORIZING AN APPLICATION
FOR GRANT FUNDS**

- C. Consider the adoption of a resolution approving the Statewide Public Works Joint Powers Mutual Aid Agreement and Equipment Sharing Agreement (Staff Report No. 54).

**RESOLUTION NO. 11735
RESOLUTION Approving the Statewide Public Works Joint Powers Mutual Aid Agreement
and Equipment Sharing Agreement**

M/Garcia, S/Supple to approve the consent calendar.

Council Member Garcia appreciates that Partnership Academy was supporting Seven Hills in this project and is thankful that people can work together.

Council Member Supple stated how she was happy to see the sharing of resources and using the taxpayer dollars to the best of its ability.

Council Member Trautmann thanked all staff for supporting the grant opportunities and initiatives.

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Garcia: AYE
- Whalen: AYE

Motion carried 5-0

Item #5	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None

Item #6	PUBLIC HEARING AND CONSIDER A RESOLUTION APPROVING A FINAL PLAT OF THE RF64 TOWNHOMES ADDITION, RELATED TO THE COMPLETION OF A PORTION OF THE RF64 DEVELOPMENT AT 65TH STREET AND 16TH AVENUE (STAFF REPORT NO. 55)
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Council Member Whalen presented staff report 55.

Director Stark explained the resolution is for eight townhomes currently under construction, a shared driveway, storm water use, and possibly more townhomes.

Mayor Regan Gonzalez commented on the great quality and character of the townhomes and how they will be a nice addition to the City. She is excited to be a part of this project.

Council Member Whalen opened the public hearing.

Executive Analyst Martinez Gavina stated no comments were submitted for the public hearing.

M/Whalen, S/Trautmann to close public hearing.

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Garcia: AYE
- Whalen: AYE

Motion carried 5-0

M/Whalen, S/Supple to adopt a resolution approving a final plat of the RF64 Townhomes Addition.

RESOLUTION NO. 11737
RESOLUTION GRANTING APPROVAL
OF A FINAL PLAT FOR RF64 TOWNHOMES

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Garcia: AYE
- Whalen: AYE

Motion carried 5-0

Item #7	PROPOSED ORDINANCE TO CONSIDER THE ADOPTION OF AN EMERGENCY ORDINANCE TO PROVIDE EMERGENCY RENTAL ASSISTANCE THAT WILL PROVIDE TEMPORARY RELIEF FOR HOUSEHOLDS IN THE CITY EXPERINECING FINANCIAL HARDHIP DUE TO THE COVID-19 CRISIS (STAFF REPORT NO. 56)
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Council Member Supple presented staff report 56.

Director Stark added the HRA staff is looking at the budget if these needs were to continue which most likely will.

Housing Manager Urban explained the City CBG money has been announced and VEAP will be receiving their funds soon.

Council Member Supple thanked staff for being able to provide for this need.

Council Member Garcia thanked all those involved with VEAP and how donations go directly to their services. She then thanked staff and HRA members for their leadership for making this happen.

Council Member Whalen expressed thanks to staff and HRA for their work. He spoke of how there has been contact with state and national elected leadership about the need of funds. He appreciates what the City is able to do at a local level and is looking forward to what can be done regarding a permanent affordable housing trust fund.

Council Member Trautmann echoed gratefulness to VEAP and how they are building good infrastructure. He reminded residents that a small donation will not be considered a small amount to those who are need. He also encouraged residents to reach out if they are in need.

Council Member Supple questioned if the funds will be specifically for Richfield residents.

Housing Manager Urban explained the funds will go to the partnership of Richfield, Bloomington and Edina for VEAP services. Director Stark added that \$30,000 will be solely for Richfield residents.

Mayor Regan Gonzalez commented on the approach of not using all the funds right away and doing it incrementally. This is just one example of how staff and community have come together to support those in need and is fortunate to have the infrastructure.

M/Supple, S/Trautmann to (1) approve an emergency ordinance creating an Affordable Housing Trust Fund to provide emergency rental assistance for low-income Richfield renters impacted by the COVID-19 crisis; and (2) adopt a resolution authorizing summary publication of said ordinance.

RESOLUTION NO. 11736
 RESOLUTION APPROVING SUMMARY PUBLICATION
 OF AN EMERGENCY ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING TRUST
 FUND

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Supple: AYE

Trautmann: AYE
Garcia: AYE
Whalen: AYE

Motion carried 5-0

Item #8	OTHER BUSINESS TO CONSIDER ACCEPTING THE PRICING COMMITTEE'S RECOMMENDATION FOR THE SALE OF \$5,375,000 GENERAL OBLIGATION BONDS, SERIES 2020A (STAFF REPORT NO. 57)
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Mayor Regan Gonzalez presented staff report 57.

Director Regis spoke of the good results that came from the sale.

Rebecca Kurtz provided a summary of the bond sale. It was reported to have a AA+ rating and was a very positive report. It has been a great reflection on management within the City.

Director Regis added that with the sale, the per bond amount was able to be reduced as well as a considerable amount of interest saved.

Rebecca Kurtz commented that a 2.1% amount was estimated but it came in 1.9% which was great news. With this, there is less interest costs and savings. The funds will be available May 14.

M/Regan Gonzalez, S/Whalen to accept the recommendation of the pricing committee in awarding the sale of General Obligation Bonds, Series 2020A, in the original aggregate principal amount of \$5,375,000.

Council Member Supple thanked staff and the past leadership for their stewardship within the City.

Council Member Trautmann shared that the bonding is for projects already completed and currently completing. It is saving the City larger costs in the future. He then thanked Director Regis for his work regarding the sale.

Mayor Regan Gonzalez echoed the specific thank you to Director Regis along with the pricing committee and Ehlers to ensure we are most prudent in this time to make smart financial decisions. She commented how residents are fortunate to staff for keeping an eye on what is financially best for Richfield.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Supple: AYE
Trautmann: AYE
Garcia: AYE
Whalen: AYE

Motion carried 5-0

Item #9	CITY MANAGER’S REPORT
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City Manager Rodriguez spoke on behalf of all staff in sending Council Member Trautmann condolences and how beautiful the tribute was of his mother. She then discussed a webinar that occurred with the League of Minnesota Cities and Governor Walz regarding strong support to a robust bonding bill and local government aid. She then briefly touched on the following regarding the financial fallout:

- Soft hiring freeze-this would include those positions approved in the 2020 budget but not yet filled and any new vacancies. Directors will work with HR on whether to fill new/vacant positions.
- Defer expenditures and capital projects as much as possible.
- Prepare budget estimates given disruptions through June, through the end of September and through the end of the year.
 - Quantify revenue impacts including possible FEMA or other emergency funding
 - Quantify existing and anticipated savings of conference and training cancellations
 - Quantify savings on supplies and less staffing of cancelled or limited programming
 - Identify options for further savings
 - Quantify any budget increases due to the pandemic
 - Please include detailed assumptions
 - This information will then flow into 2020 revised budgets as part of the regular budget process

City Manager Rodriguez also discussed that staff is waiting on tougher decisions such as summer programming. There is about a month lead time to hire and train staff. She is hopeful to have an answer in May but it has been incredibly hard on Director Markle.

Council Member Trautmann wondered about being able to offer programs for older children to engage outdoors while still social distancing.

City Manager Rodriguez replied that Director Markle is looking into all options and doing what is possible. She then briefly spoke on the following items:

- Restricted passport services to resume next week by appointment.
- Taking applications for small business forgivable loans.
- About 700 responses to the resident COVID-19 survey.
- City-wide resident letter regarding available services.
- The overwhelming positive response from the Birthday Patrols.
- The Fire Department collected over a thousand masks.

Mayor Regan Gonzalez thanked staff for continuing to pivot on a moment’s notice during these difficult times.

Item #10	CLAIMS AND PAYROLL
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M/Garcia, S/Supple that the following claims and payrolls be approved:

U.S. Bank	04/28/2020
A/P Checks 286676 - 287048	\$ 1,182,837.10
Payroll: 153747 - 154064	<u>671,514.68</u>
TOTAL	\$ 1,854,351.78

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Whalen: AYE
- Garcia: AYE

Motion carried 5-0

Item #11	HATS OFF TO HOMETOWN HITS
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Council Member Garcia commented on nice is seeing people while she is out walking. She does miss seeing Council and staff in person.

Council Member Whalen thanked all residents for being patient and respecting the Governor’s orders. He encouraged people to continue following the social distancing rules. He then mentioned the community survey was covered in the work session and gave great praise to the Public Works Department.

Council Member Supple reminded residents the Richfield Foundation has been awarded funds from the Minnesota Disaster Recovery fund to support non-profits affected by COVID-19 and the deadline is May 15. She encouraged programs to apply. She then thanked all essential workers but specifically the families of essential workers for supporting them during these unprecedented times.

Council Member Trautmann recapped the Friends of Wood Lake virtual gala was a success and the virtual auction is open until May 1. He thanked everyone that bought a ticket to support the cause. He also praised Director Stark and staff for the work on the small business loan program initiative and leadership. Council Member Trautmann then expressed gratefulness to Mount Olivet healthcare workers.

Mayor Regan Gonzalez mentioned the community survey and what great results came from the responses. She then gave a shout out to all the staff participating in the birthday parades for children in Richfield. She also thanked all residents who have donated masks to the City for distribution. Mayor Regan Gonzalez commented on all the sidewalk and driveway art she has been seeing and how wonderful it is. She also reminded residents to take care of themselves. This situation will be a long term thing and people need to find those moments of joy. Lastly, she spoke of the Richfield Rotary and how they have donated over \$2,000 to Parks and Recreation to put toward the new dog park and inclusive park. She also encouraged residents to join the Richfield Rotary and be a part of all the great things they contribute to the City of Richfield.

Item #12	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:24 p.m.

Date Approved: May 12, 2020

Maria Regan Gonzalez

Mayor

Kelly Wynn
Senior Office Assistant

Katie Rodriguez
City Manager



Proclamation of the City of Richfield

WHEREAS, The City of Richfield is committed to acting courageously to advance equity and create a vibrant, safe, and healthy community where people of all races thrive; and

WHEREAS, emerging COVID-19 infection and mortality data illuminates a disturbing, disproportionate impact on Black, Indigenous, and People of Color, most specifically African American communities; and

WHEREAS, Black, Indigenous, People of Color, undocumented Minnesotans, people with disabilities, are more likely to be low-wage, essential frontline workers, such as service workers and health care workers, and thus at higher risk of exposure and are disproportionately burdened by the virus and its impacts; and

WHEREAS, the State of Minnesota has recently seen a rise in reports of discrimination toward the Asian American community; and

WHEREAS, we recognize the unequal allocation of power and resources as a root cause of racial and other health inequities; and

WHEREAS, our city commits to lifting up the health and social needs of the most marginalized members of our communities, and sharing examples of how centering their needs can ensure that we are all safe and healthy; and

WHEREAS, our city commits to providing targeted education and resource information to communities of color, immigrants, refugees and people with disabilities who are realizing significant adverse health and socioeconomic impacts; and

WHEREAS, our city commits to standing in solidarity against xenophobic and racist attacks on Asian Americans; and

WHEREAS, our city will work side-by-side with community partners to identify and address the ways that this infection may exacerbate existing inequities in our communities and how we can reduce these inequities; and

WHEREAS, this moment is an opportunity for our City and community to better understand how we are all impacted when some of us lack the unequal access to resources, health and opportunities.

NOW, THEREFORE, I, MARIA REGAN GONZALEZ, Mayor of the City of Richfield, do proclaim that the City of Richfield commit to centering equity in our community's response to the COVID-19 global pandemic in partnership with the surrounding cities of Bloomington and Edina.

PROCLAIMED this 12th day of May, 2020.

Maria Regan Gonzalez, Mayor



STAFF REPORT NO. 58
CITY COUNCIL MEETING
5/12/2020

REPORT PREPARED BY: Krista Guzman, HR Manager

DEPARTMENT DIRECTOR REVIEW: Pam Dmytrenko

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez
5/6/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider adoption of a resolution authorizing the City to affirm the monetary limits on statutory municipality tort liability.

EXECUTIVE SUMMARY:

The City purchases its liability insurance coverage from the League of Minnesota Cities Insurance Trust (LMCIT). Each year, the City must decide to either affirm or waive its statutory limits of liability by July 1. After reviewing cost considerations measured against potential risk, the City has, historically, affirmed the liability limits which are \$500,000 for an individual claimant and \$1,500,000 per occurrence. Staff is recommending the same course of action for the upcoming insurance renewal.

RECOMMENDED ACTION:

By motion: Adopt a resolution authorizing the City Council to affirm the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- A requirement of insurance coverage through the LMCIT is an annual affirmation or waiver of statutory limits of liability.
- The current statutory limits of liability for Minnesota cities are \$500,000 for an individual claimant and \$1,500,000 per occurrence. Cities can waive these limits to allow an individual claimant to recover more than \$500,000, up to the \$1,500,000 per occurrence limit, if excess liability insurance is purchased. However, the cost of the excess liability insurance continues to be very expensive. An additional \$1,000,000 of coverage would cost the City approximately \$65,000 annually.
- Slightly more than half of the cities in Minnesota do not waive its limits of liability.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- The State Statute establishes liability limits for cities and the current level is \$1,500,000, which appears to be a reasonable limit.
- Historically, the majority of municipalities in Minnesota do not waive the monetary limits on municipality tort liability as was established by Statutes 466.04.

- The Council could waive its statutory limits in future years if a decision was made to do so.
- The Council may also wish to consider purchasing excess liability in the future. If this is the case it may be purchased at any point in the future.

C. CRITICAL TIMING ISSUES:

The City's insurance policy with the League of Minnesota Cities Insurance Trust will renew on July 1, 2020. This action must be completed on, or before that time.

D. FINANCIAL IMPACT:

The City has historically not purchased excess liability coverage because of the cost of such coverage. The annual premium for \$1 million of coverage would be between \$65,000 and \$75,000 if the City decided to waive its liability limits.

E. LEGAL CONSIDERATION:

- The tort liability limits established by Minnesota Statutes have historically protected cities and no Minnesota court has ever established a monetary award in excess of the statutory limits against a municipality.
- Each city must annually decide whether the city would voluntarily waive the statute for both the single claims and each occurrence limit.

ALTERNATIVE RECOMMENDATION(S):

- If the Council determines that any single claimant should receive more than the \$500,000 limit, the Council could elect to waive the statutory monetary limits.
- If the Council determines that the \$1,500,000 per occurrence limit is not adequate, the City could purchase excess liability coverage.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
□ Tort Liability Resolution	Resolution Letter

RESOLUTION NO.

**RESOLUTION AFFIRMING MUNICIPAL TORT LIABILITY LIMITS ESTABLISHED BY
MINNESOTA STATUTES 466.04**

WHEREAS, Minnesota Statute 466.04 provides for Municipal tort liability limits for Minnesota cities; and

WHEREAS, the League of Minnesota Cities Insurance Trust has asked that each city review the tort liability limits and determine if the respective city would choose to waive its limits; and

WHEREAS, such decision to affirm or waive the tort liability limits must be filed with the League of Minnesota Cities Insurance Trust at the insurance renewal date.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is directed to report to the League of Minnesota Cities Insurance Trust that the Richfield City Council does not waive the monetary limits on the municipal tort liability established by Minnesota statutes 466.04.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of May, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 59
CITY COUNCIL MEETING
5/12/2020

REPORT PREPARED BY: Julie Urban, Housing and Redevelopment Manager

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
5/6/2020

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez
5/6/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider approval of a first reading of an ordinance creating an Affordable Housing Trust Fund.

EXECUTIVE SUMMARY:

An Affordable Housing Trust Fund (Trust Fund) is a tool that can be used to support the preservation and creation of affordable housing in the City. Through its Trust Fund, the City can support the rehabilitation and preservation of existing affordable housing, promote the development of additional affordable housing, and assist individuals with rental and down payment assistance.

Staff recommends that the City establish its own Trust Fund to further its affordable housing efforts. The City's Housing and Redevelopment Authority (HRA) would administer the Trust Fund on behalf of the City. Initial funding for the Trust Fund will come from the HRA's Capital Improvement Fund. Additional funding would be identified through the regular budget process and be reported to the Council on an annual basis.

RECOMMENDED ACTION:

By motion: Approve first reading of an ordinance establishing an Affordable Housing Trust Fund and set second reading and a public hearing for May 26, 2020.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- In 2017, the State Legislature approved legislation to allow cities to establish housing trust funds in order to facilitate affordable housing efforts in the State.
- On April 28, 2020, the City Council adopted an emergency ordinance to provide emergency rental assistance to residents financially impacted by the COVID-19 crisis. The City and HRA Attorneys recommended that the City adopt an Affordable Housing Trust Fund as a mechanism for providing rental and other housing assistance that may be needed on a longer-term basis.
- The City, through its HRA, has long supported affordable housing activities in the City.

Like the creation of the HRA in 1974, the Trust Fund provides a mechanism for the City to further its efforts to ensure housing stability by preserving and creating affordable housing.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Minnesota Statutes 462C.16 establishes the authority for cities to create local housing trust funds.
- The City's Comprehensive Plan strongly supports the preservation and maintenance of the City's housing stock and the provision of housing that meets the diverse needs of all its residents. Ensuring housing stability for its residents and preserving and creating affordable housing furthers these goals.

C. CRITICAL TIMING ISSUES:

Notice of the public hearing and second reading, to be held on May 26, 2020, would be published in the Sun Current on May 14, 2020.

D. FINANCIAL IMPACT:

- The HRA will provide initial funding for the Trust Fund from its Capital Improvement Fund for emergency rental assistance related to COVID-19 impacts. Additional funds may be added through the HRA's regular budget process and will be reported to the Council on an annual basis.
- Sources of funds for the trust fund include, but are not limited to: donations; bond proceeds; grants and loans from a state, federal or private source; appropriations by local government; investment earnings; pooled Tax Increment Financing (TIF), and Economic Development Authority (EDA) and HRA levies.

E. LEGAL CONSIDERATION:

- Through an Affordable Housing Trust Fund, the City may undertake affordable housing activities such as pay for administrative expenses (10% maximum); make loans, grants and loan guarantees for the development of affordable housing; match other funds from federal state, or private resources; provide down payment assistance, rental assistance, and homebuyer counseling services.
- Activities may be directed towards people with very low (up to 50% Area Median Income, AMI), low (up to 80% AMI) and moderate income (up to 120% AMI).
- While the City's HRA has been conducting affordable housing activities since its inception in 1974, the Trust Fund statute provides clear legal authority for a variety of affordable housing-related activities and a budgeting mechanism for tracking those efforts.
- While pooled TIF may be contributed to a housing Trust Fund, the same rules that restrict the use of TIF would apply to the Trust Fund, so it is unlikely that those funds would be contributed to the Trust Fund until such time that changes were made to the current restrictive accounting requirements.
- The Ordinance was written by the HRA Attorney and reviewed by the City Attorney.

ALTERNATIVE RECOMMENDATION(S):

Approve first reading with modifications.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
□ Housing Trust Fund Ordinance	Ordinance

BILL NO. _____

AN ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Preamble.

1.01. In order to provide the City of Richfield (the "City") with additional tools to support the rehabilitation and preservation of existing affordable housing within the City, promote the development of additional affordable housing within the City, and assist individuals with rental and down payment assistance, the City has determined to create an Affordable Housing Trust Fund.

Section 2. Definitions.

2.01. *Persons of very low income* means families and individuals whose incomes do not exceed 50 percent of area median income, as median income was most recently determined by the United States Department of Housing and Urban development for the Minneapolis-St. Paul- Bloomington, Minnesota Metropolitan Statistical Area, as adjusted for smaller and larger families.

2.02. *Persons of low income* means families and individuals whose incomes do not exceed 80 percent of the area median income, as median income was most recently determined by the United States Department of Housing and Urban development for the Minneapolis-St. Paul- Bloomington, Minnesota Metropolitan Statistical Area, as adjusted for smaller and larger families.

2.03. *Persons of moderate income* means families and individuals whose incomes exceed 80 percent, but do not exceed 120 percent, of area median income, as median income was most recently determined by the United States Department of Housing and Urban development for the Minneapolis-St. Paul-Bloomington, Minnesota Metropolitan Statistical Area, as adjusted for smaller and larger families.

Section 3. Establishing Affordable Housing Trust Fund.

3.01. Pursuant to the authority granted to the City under Minnesota Statutes Section 462C.16, an affordable housing trust fund is established for the following purposes: provide loans and grants to for-profit and non-profit housing developers for the acquisition and capital and soft costs necessary for the creation of new affordable rental and owner-occupied housing, for the rehabilitation and preservation of existing multi-family residential rental housing including naturally occurring affordable housing and rental assistance and homeownership assistance to persons of very low, low, and moderate income.

Section 4. Funding Sources.

4.01. The Affordable Housing Trust Fund shall be funded by an annual budgeted allocation of funds from the Housing and Redevelopment Authority in and for the City of Richfield (HRA) levy and funds from the Richfield Economic Development Authority (EDA) levy, as approved by the City Council. Other sources of funding may include, but are not limited to:

- (a) Private cash donations from individuals and corporations designated for the Affordable Housing Trust Fund.
- (b) Payments in lieu of participation in current or future affordable housing programs.
- (c) Matching funds from a federal or state affordable housing trust fund; or a state program designated to fund an affordable housing trust fund.
- (d) Principal and interest from Affordable Housing Trust Fund loan repayments and all other income from Affordable Housing Trust Fund activities.
- (e) The sale of real and personal property.
- (f) Local government appropriations, development fees and other funds as designated from time to time by the City Council.
- (g) Tax Increment Finance (TIF) pooled funds.

Section 5. Purpose of Affordable Housing Trust Fund.

5.01. The City may use money from the Affordable Housing Trust Fund to assist proposed projects or programs to develop or preserve affordable housing for persons of very low, low, and moderate income to include:

- (a) Making loans at interest rates below or at market rates in order to strengthen the financial feasibility of proposed projects;
- (b) Guaranteeing of loans;
- (c) Providing gap financing for affordable housing developments;
- (d) Financing the acquisition, demolition, and disposition of property for affordable housing projects;
- (e) Financing construction of public improvements and utilities to aid proposed affordable residential developments;

- (f) Financing the rehabilitation, remodeling, or new construction of affordable housing;
- (g) Tenant and project based rental assistance;
- (h) Funding for acquisition and rehabilitation in conjunction with or related to affordable housing projects;
- (i) Funding to facilitate affordable homeownership opportunities including down payment assistance, second mortgages, closing costs, etc.;
- (j) Administrative costs associated with affordable housing programs that do not exceed ten percent of the balance fund;
- (k) Interim financing of public costs for affordable housing projects in anticipation of a permanent financing source (i.e. construction financing, bond sale, etc.); and
- (l) Other uses as permitted by law and approved by the City Council.

Section 6. Administration of Affordable Housing Trust Fund.

6.01. The Housing and Redevelopment Authority in and for the City of Richfield, Minnesota (the "Authority") shall administer the Affordable Housing Trust Fund on behalf of the City.

6.02 The Authority shall determine the terms and conditions of repayment of loans and grants from the Affordable Housing Trust Fund including the appropriate security and interest, if any, should repayment be required. Interest on loans and grants shall be as established by the Authority from time to time or at the time of approval of a specific project or program.

6.02. The Authority shall report annually to the City on the use of the funds in the Affordable Housing Trust Fund, including the number of loans and grants made, the number and types of residential units assisted, and the number of households for which rental assistance or down payment assistance were provided. The City shall post the annual report on its Website.

Section 7. Council Action.

7.01. The City Council of the City of Richfield hereby ordains the implementation of the Affordable Housing Trust Fund.

7.02. This Ordinance shall be effective on the 30th day following the publication of a

summary of this ordinance approved by the City Council of the City of Richfield in the official newspaper of the City of Richfield.

7.03. The summary of this Ordinance was reviewed and approved by the City Council of the City of Richfield and the City Council finds that the summary of this Ordinance clearly informs the public of the intent and effect of this Ordinance.

Section 8. This Ordinance will be effective in accordance with Section 3.09 of the City Charter.

Adopted by the City Council of the City of Richfield, Minnesota on _____, 2020.

Maria Regan Gonzalez, Mayor

Attest:

Beth Vanhoose, City Clerk

Action on this ordinance:

Date of introduction: May12, 2020
Date of adoption: _____, 2020
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Richfield, Minnesota, at a meeting held on _____, 2020.

Beth Vanhose, City Clerk

650776v2(JAE)
RC125-377



STAFF REPORT NO. 60
CITY COUNCIL MEETING
5/12/2020

REPORT PREPARED BY: Matt Brillhart, Associate Planner / Melissa Poehlman, Asst. CD Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
5/6/2020

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez
5/6/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider adoption of a resolution granting an extension of land use approvals for a planned unit development at 101 66th Street East (The Emi).

EXECUTIVE SUMMARY:

In June 2018, the City Council approved development plans for a mixed use building with retail space and 31 apartments at 66th Street and 1st Avenue, now known as The Emi. Due to delays in securing financing and identifying a general contractor, construction was delayed, and in June 2019 the Council granted a one-year extension to get the project underway. While they had hoped to be under construction this spring, the current pandemic has led to a second extension request by PLH & Associates (Applicant). Though construction on the project has not begun, initial building permit applications were submitted to the Inspections Division in summer 2019.

If an extension is not granted, the Applicant would be required to begin the land use approval process anew; however, applicable land use regulations remain unchanged from the time of approval. Rather than granting the project another full year extension, staff recommends an extension commensurate with the extensions granted to all current Housing and Redevelopment Authority (HRA) agreements. On Monday, April 20 the HRA authorized a 120-day extension of all contract benchmarks and deadlines, and granted the Executive Director the authority to further extend deadlines by 60 days if conditions warrant. Staff recommends that the Council grant this same extension to PLH & Associates.

Staff continues to support the proposed development as an investment that capitalizes on the major investment made in 66th Street and the production of needed housing.

RECOMMENDED ACTION:

By motion: Adopt a resolution granting an extension of (up to) 180 days for a conditional use permit and final development plan for a planned unit development at 101 66th Street East.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Historically, land-use approval extensions have been approved unless some aspect of the project has changed significantly, City ordinances/regulations have been changed or the applicant has

already sought a prior extension; only the latter condition is pertinent in this case.

- The current pandemic is unprecedented and an extension that allows time for the market to stabilize is reasonable.
- More information about the Emi project, including the previously approved plans, is available at: <https://www.richfieldmn.gov/development>

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- The term of City approvals is one year. If a project for which approvals have been granted is not substantially underway within one year, the applicant must request an extension from the City Council.
- The City Council may grant an extension of up to one year.
- If the extension is not granted, the Applicant would have to begin the land use approval process anew.
- Land use policies for the property and area have not changed since the approval of the development and it continues to meet adopted goals and policies.

C. CRITICAL TIMING ISSUES:

- The land use approvals for this project are scheduled to expire on June 26, 2020.
- If the full 180 day extension is granted, the deadline for "substantial construction" would be December 23, 2020.

D. FINANCIAL IMPACT:

The required processing fee has been paid.

E. LEGAL CONSIDERATION:

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

Paul Lynch, PLH & Associates

ATTACHMENTS:

Description	Type
☐ Resolution	Resolution Letter
☐ Extension request letter	Backup Material
☐ Resolution No. 11513 (project approval)	Backup Material

RESOLUTION NO. _____

**RESOLUTION GRANTING AN EXTENSION OF
A FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT
FOR A PLANNED UNIT DEVELOPMENT AT
101 66TH STREET EAST**

WHEREAS, by Resolution No. 11513, adopted on June 26, 2018, the City Council approved a final development plan and conditional use permit for a planned unit development to allow construction of a mixed use building containing 31 apartments and approximately 6,000 square feet of commercial space at 101 66th Street East; and

WHEREAS, Subsection 547.09, Subdivision 9 of the Richfield City Code requires that substantial construction be completed within one year of approval, less the approval expire or the applicant requests and is granted an extension; and

WHEREAS, by Resolution No. 11627, adopted on May 28, 2019, the City Council granted the project a one year extension; and

WHEREAS, the spread of COVID-19 in the State of Minnesota has created disruptions in the local markets, including the financial and construction markets, which has caused developers to request extensions of deadlines; and

WHEREAS, City staff has received a request from PLH & Associates, LLC (the "Applicant") for a further extension of land use approvals granted on June 26, 2018; and

WHEREAS, due to the market disruptions described herein, the City Council wishes to provide the additional time requested.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield:

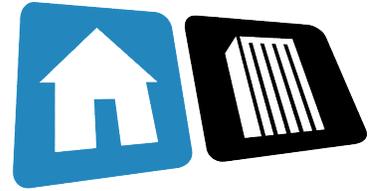
1. The City Council extends the approvals granted by Resolution No. 11513 for a period not to exceed 180 days from June 26, 2019. The initial extension period is 120 days, and the Community Development Director is hereby authorized to grant a single extension of 60 additional days.
2. The deadline for "substantial construction" is hereby extended to no later than December 23, 2020.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of May, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



PLH & ASSOCIATES, LLC

April 7, 2020

Matt,

I hoped not to have to do this again, but in the current uncertain times I am writing to formally ask for additional time to get the Richfield project (The EMI) substantially started at 1st and 66th Street. It was our goal to get the project started this year spring, but after reviewing the timeline we have determined a fall 2020 start will be needed to get the project substantially started.

Please accept our request to extend the start date for this exciting new project in Richfield.

Any questions please contact Paul Lynch.

Thank you,

A handwritten signature in blue ink that reads "Paul Lynch". The signature is fluid and cursive.

PLH & Associates, LLC
Managing Member

RESOLUTION NO. 11513

**RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN
AND CONDITIONAL USE PERMIT
FOR A PLANNED UNIT DEVELOPMENT
TO BE BUILT AT 101 66TH STREET EAST**

WHEREAS, an application has been filed with the City of Richfield which requests approval of a final development plan and conditional use permit for a planned unit development to allow construction of a three-story mixed-use building on the parcel of land located at 101 66th Street East (“subject property”), legally described as:

Lots 7 and 8 except the south 50 feet of the west half of Lot 8, Goodspeed’s First Plat, Hennepin County, Minnesota

WHEREAS, the Planning Commission of the City of Richfield held a public hearing at its April 23, 2018 meeting, and recommended approval of the requested final development plan and conditional use permit at its May 29, 2018 meeting; and

WHEREAS, notice of the public hearing was mailed to properties within 350 feet of the subject property on April 10, 2018 and published in the Sun Current newspaper on April 12, 2018; and

WHEREAS, the requested final development plan and conditional use permit meet those requirements necessary for approving a planned unit development as specified in Richfield’s Zoning Code, Section 542.09, Subd. 3 and as detailed in City Council Staff Report No. 111; and

WHEREAS, the request meets those requirements necessary for approving a conditional use permit as specified in Richfield’s Zoning Code, Section 547.09, Subd. 6 and as detailed in City Council Staff Report No. 111; and

WHEREAS, the City has fully considered the request for approval of a planned unit development, final development plan and conditional use permit; and

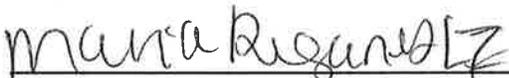
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
2. A planned unit development, final development plan and conditional use permit are approved for a mixed-use development as described in City Council Report No. 111, on the Subject Property legally described above.
3. The approved planned unit development, final development plan and conditional use permit are subject to the following conditions:

- The Developer shall continue to work with Community Development staff to finalize the following items. Items must be approved by the Community Development Director prior to the issuance of a building permit:
 - Continue to discuss architectural features including the type and number of building materials used on the north façade, particularly the design of the commercial storefronts and material transitions between the commercial and residential portion of the building.
 - If elevations allow, the walkway on the south side of the building should be connected to the Stevens Avenue sidewalk, whether at grade or with stairs through the retaining wall.
 - Continue to discuss transformer screening and/or artistic wrap treatment. Continue to discuss landscape and hardscape in this area. The fenced area shall not be larger than necessary to screen the transformer and shall not be chain link fence.
 - If space allows without reducing parking, residential trash storage shall be accommodated in the underground level or designed within the building.
- Plans must include signage and a larger curb extension to physically prohibit right turns from the development onto southbound Stevens Avenue.
- Raised berm and landscaping shall fully screen parking lot views from the south. Screening opacity requirements shall be as follows: 100% opacity to 3-4 feet height and 50% opacity to 6 feet height. Developer shall work with the property owner at 6616 Stevens Avenue to devise a mutually acceptable screening solution along the shared property line, in accordance with the above opacity requirement.
- With the consent and cooperation of the property owner at 6615 Stevens Avenue, the developer shall install plantings on the property or boulevard area to mitigate headlight impacts. A boulevard feature permit from Richfield Public Works is required before planting on public right-of-way.
- The existing wood fence abutting the property at 6613 1st Avenue shall be replaced with new fence pickets/panels. Existing fence posts may be reused.
- Permitted uses shall include those uses permitted in the Mixed-Use Neighborhood District, except convenience stores. Additionally, the following uses from the Mixed-Use Community District are permitted: offices/clinics, health/athletic clubs, spas, yoga studios and class III restaurants without drive-thru/drive-in service.
- Space dedicated to restaurant uses shall not exceed 2,000 gross square feet. Odor control systems are required to mitigate cooking odors in accordance with City Code Subsection 544.27.
- Commercial doors facing 66th Street and 1st Avenue shall not be locked during business hours.
- Signage on the south and east building facades shall not be lit between the hours of 10:00 p.m. and 6:00 a.m., except any signage related to underground parking or resident entry. Large-scale wall or projecting signage shall not be used on the south or east elevation.
- Bicycle parking is required for commercial uses, with a minimum capacity of six (6) bicycles. An artistic or unique design/color is recommended. Enclosed or underground bicycle parking is required for the residential uses.

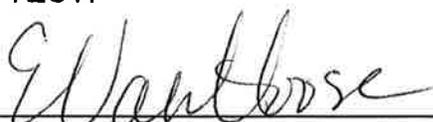
- All parking spaces shall remain available year round.
 - All new utility service must be underground.
 - All utilities must be grouped away from public right-of-way and screened from public view in accordance with Ordinance requirements. A screening plan is required prior to the issuance of a building permit.
 - The property owner is responsible for the ongoing maintenance and tending of all landscaping in accordance with approved plans.
 - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated April 5, 2018 and compliance with all other City and State regulations. Separate sign permits are required.
 - A recorded copy of the approved resolution must be submitted to the City prior to the issuance of a building permit.
 - Prior to the issuance of an occupancy permit the developer must submit a surety equal to 125% of the value of any improvements not yet complete.
 - Final stormwater management plan must be approved by the Public Works Director. Infiltration not allowed in high-vulnerability wellhead protection area.
 - As-builts or \$7,500 cash escrow must be submitted to the Public Works Department prior to issuance of a final certificate of occupancy.
 - The Public Works Department will monitor traffic counts and patterns following completion of the development.
4. The approved planned unit development, final development plan and conditional use permit shall expire one year from issuance unless the use for which the permit was granted has commenced, substantial work has been completed or upon written request by the developer, the Council extends the expiration date for an additional period of up to one year, as required by the Zoning Ordinance, Section 547.09, Subd. 9.
5. The approved planned unit development, final development plan and conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 26th day of June, 2018.



Maria Regan Gonzalez, Mayor Pro Tempore

ATTEST:



Elizabeth VanHoose, City Clerk